

PHILLIP A. TALBERT
United States Attorney
ADRIAN T. KINSELLA
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL GARCIA and NANCY DALILA
GARCIA ESCOBAR,

Defendants.

CASE NO. 2:20-cr-00181-JAM

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

DATE: June 27, 2023
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

STIPULATION

1. By previous order, this matter was set for status on June 27, 2023. ECF No. 117.
2. By this stipulation, defendants now move to continue the status conference until
September 26, 2023, at 09:00 a.m., and to exclude time between June 27, 2023, and September 26,
2023, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes over 50 gigabytes of evidence in electronic form, including multiple hours of covert recordings, pictures, investigative reports, and related documents. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendants require additional time to review the discovery, investigate any possible defenses, research potential pretrial motions, explore potential

1 resolutions to the case, and otherwise prepare for trial. The parties are continuing their efforts on
2 plea negotiations. Finally, counsel for defendants need additional time to prepare mitigation
3 materials.

4 c) Counsel for defendants believes that failure to grant the above-requested
5 continuance would deny them the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) The government object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of June 27, 2023 to September 26,
13 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and the defendant in a speedy trial.

17 //

18
19 //

20
21 //

22
23 //

24
25 //

26
27 //

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: June 21, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ADRIAN T. KINSELLA
ADRIAN T. KINSELLA
Assistant United States Attorney

Dated: June 21, 2023

/s/ HOOTAN BAIGMOHAMMADI
HOOTAN BAIGMOHAMMADI
Counsel for Defendant
MICHAEL GARCIA

Dated: June 21, 2023

/s/ MICHAEL D. LONG
MICHAEL D. LONG
Counsel for Defendant
NANCY GARCIA

ORDER

IT IS SO FOUND AND ORDERED.

Dated: June 21, 2023

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE